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**VIA CERTIFIED MAIL (NUMBER \_\_\_\_\_)  
RETURN RECEIPT REQUESTED  
URGENT LEGAL MATTER; PROMPT REPLY REQUESTED**

Prentice Hall Corporate Systems  
Registered Agent for American Cyanamid Company  
800 Brazos  
Austin, TX 78701

Re: Request for Information Pursuant to Section 104 of CERCLA (42 U.S.C. Section 9604)  
Owners/Operators  
Star Lake Canal Superfund Site  
Jefferson County, Texas

Dear Sir or Madam:

The U. S. Environmental Protection Agency (EPA) is currently investigating the releases or threatened releases of hazardous substances, pollutants, or contaminants at the Star Lake Canal Superfund Site (hereinafter "the Site"), in the proximity of Groves, Texas. This letter seeks your cooperation in providing information and documents relating to the contamination of the Site.

This information request is not a determination that you (or your company) are responsible or potentially responsible for any response activities required to address the threat posed by the Site. The EPA only sent you this letter as a part of its investigation of the circumstances related to the Site, and does not expect you (or your company) to pay for or to perform any Site-related activities. Should the EPA determine that you (or your company) are responsible or potentially responsible for such response activity, you will receive a separate letter clearly stating that a determination has been made, the basis the EPA has for making the determination, and the name of the person you should call at the EPA to discuss the situation. If you have any questions regarding this letter or any other matter, please contact the persons identified at the end of this letter.

The EPA is seeking to obtain information concerning the release of hazardous substances, pollutants, or contaminants that have been released into the Site. The EPA plans to study the effects of these substances on the environment and public health. In addition, EPA will identify

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CHAVARRIA  
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BEHN  
*UP 5/11/01*

6SF-AC  
PARR  
*8/07/06/2001*

6SF-A  
TORRES  
*SD 07/06/01*

6SF-A  
HONKER  
*WKA 7/19*

6RC-S  
QUINONES  
*EQ 5/18/01*

6RC-S  
PEYCKE  
*MAK 07/03/01*

6SF  
BUZZELL  
*8/7/01*



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activities, materials, and parties that contributed to contamination at the Site. The EPA believes that you may have information which may assist in our investigation of the Site. We encourage you to give this matter your immediate attention and request that you provide a complete and truthful response to each of the questions included in Enclosure A (Information Request, Star Lake Canal Superfund Site), within thirty (30) calendar days of your receipt of this letter. Enclosure B lists parties who are also receiving Information Request letters concerning the Site.

## **SITE BACKGROUND**

The Site, which includes two industrial waste canals, the Star Lake Canal and the Jefferson Canal<sup>1</sup>, and Molasses Bayou is located in Jefferson County, Texas, in the cities of Port Neches and Groves. The Site is defined as the lengths of these two industrial canals from their origins to the confluence of the Star Lake Canal with the Neches River. The straight line distance along the Star Lake Canal from its origin east of the intersection of Highway 136 and FM 366 to its confluence with the Neches River is approximately 16,500 feet. The straight line distance along the Jefferson Canal from its origin on the east side of Hogaboom Road South of FM 366 to its confluence with the Star Lake Canal north of the Hurricane Protection Levee is approximately 4,000 feet. The Groves Drainage Ditch extends approximately 500 feet between its origin in a surface impoundment south of FM 366 to its confluence with the Jefferson Canal at FM 366. Between Sara Jane Road 9 (aka Port Neches Avenue) and the river, the Star Lake Canal crosses marshes and intersects the Molasses Bayou in two locations.

The Texas Natural Resource Conservation Commission collected sediment samples in 1996 and 1998 from Star Lake Canal, Jefferson Canal, and Molasses Bayou and found elevated concentrations of chromium, copper, polynuclear aromatic hydrocarbons (PAHs), and polychlorinated biphenyls (PCBs) in the canal sediments and elevated concentrations of copper, PAHs, and pesticides in the Molasses Bayou wetlands. The known area of contaminated sediments extends more than 2 miles, spanning portions of the canals and the bayou to within 1/4 of a mile of the convergence with the Neches River.

## **DESCRIPTION OF LEGAL AUTHORITY**

The Federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, (CERCLA), 42 U.S.C. §§ 9601 *et. seq.*, as amended by the Superfund Amendments and Reauthorization Act of 1986, gives EPA authority to, among other things: (1) assess contaminated sites; (2) determine the threats to human health and the environment posed by each site; and, (3) clean up those sites. The CERCLA also provides EPA with several methods of obtaining various types of information from a wide range of entities. Section 104(e), entitled

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<sup>1</sup>The Star Lake Canal is also known as the Defense Plant Corporation Canal, the Neches Butane Outfall Canal, the Neches Butane Products Company Outfall Canal, and the Texaco Chemical Outfall Canal. The Jefferson Canal is also known as the Texaco Chemical Company Outfall Canal, the Jefferson County Canal, the Star Lake Outfall Canal, and the Texaco Chemical Company Stormwater Canal.

"Information Gathering and Access," grants EPA authority to issue "Information Requests."

### **INFORMATION REQUESTS**

Under Section 104(e)(2) of CERCLA, 42 U.S.C. Section 9604(e)(2), EPA has broad information gathering authority which allows it to require persons to furnish information or documents relating to:

- (A) The identification, nature, and quantity of materials which have been or are generated, treated, stored, or disposed of at a vessel or facility or transported to a vessel or facility; and,
- (B) The nature or extent of a release or threatened release of a hazardous substance or pollutant or contaminant at or from a vessel or facility.

While EPA seeks your cooperation in this investigation, compliance with the Information Request is required by law. Please note that false, fictitious, or fraudulent statements or representations may subject you to civil or criminal penalties under Federal law. Although you may consider some of the information EPA is requesting to be confidential, please be aware that you may not withhold the information upon that basis. If you wish EPA to treat the information confidentially, you must advise EPA of that fact by following the procedures outlined in Enclosure A, including the requirement for supporting your claim for confidentiality. If you have information about other parties who may have information which may assist EPA in its investigation of the Site or may be responsible for the contamination at the Site, that information should be submitted along with this Information Request.

Your response to the questions included in Enclosure A, including any "technical" questions regarding the scope of the Information Request or questions you may have about the Site, should be directed to:

Mr. Rafael A. Casanova, Remedial Project Manager  
U.S. Environmental Protection Agency, Region 6  
Superfund Division (6SF-AP)  
1445 Ross Avenue, Suite 1200  
Dallas, TX 75202-2733  
Telephone: (214) 665-7437  
Facsimile: (214) 665-6660  
E-Mail: casanova.rafael@epa.gov

Specific "legal" questions concerning this Information Request or the Site should be directed to:

Mr. Edwin Quinones, Attorney  
U.S. Environmental Protection Agency, Region 6  
Office of Regional Counsel (6RC-S)  
1445 Ross Avenue, Suite 1200  
Dallas, TX 75202-2733  
Telephone: (214) 665-8035  
Facsimile: (214) 665-6460  
E-Mail: quinones.edwin@epa.gov

### **CONCLUSION**

As explained above, this Information Request is not a determination of responsibility or potential responsibility and does not require you to do anything other than to fully and truthfully provide the requested information. If you believe you have received this Information Request in error, please contact Mr. Rafael A. Casanova, by telephone, immediately, at the number provided above.

We encourage you to give this matter your immediate attention and request that you provide a complete and truthful response to each of the questions included in Enclosure A within thirty (30) calendar days of your receipt of this letter. Please contact Mr. Edwin Quinones if you need additional time to prepare a response. Thank you in advance for your cooperation in responding to this Information Request. We are looking forward to working closely with you in the future.

Sincerely yours,

Myron O. Knudson, P.E.  
Director  
Superfund Division

Enclosures (2)

cc: Ms. Leigh Ing, Deputy Director (w/o enclosures)  
Texas Natural Resource Conservation Commission

**ENCLOSURE A**  
**INFORMATION REQUEST**  
**STAR LAKE SUPERFUND SITE**  
**JEFFERSON COUNTY, TEXAS**

This Information Request asks that you provide certain information regarding the Star Lake Superfund Site (hereinafter "the Site") in Jefferson County, Texas. The U.S. Environmental Protection Agency (EPA, Region 6) is currently seeking information relating to the identification, nature, and quantity of materials which have been released into the Site, and the nature or extent of the release or threatened release of hazardous substances or pollutants or contaminants into the Site.

Compliance with this Information Request is mandatory and required by Federal law. Failure to respond fully and truthfully to the Information Request within thirty (30) calendar days of receipt may result in the initiation of enforcement action by EPA pursuant to Subsection 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended by the Superfund Amendments and Reauthorization Act of 1986 (CERCLA), 42 U.S.C. § 9604(e). The CERCLA permits EPA to seek the imposition of penalties of up to twenty-seven thousand, five hundred dollars (\$27,500) for each day of continued non-compliance. Furnishing false, fictitious or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001. Should you find that any portion of your submission is incorrect or false, you should notify EPA as soon as possible. This Information Request is not subject to the requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. §§ 3501, et seq.

Following are the "instructions" that you should adhere to in responding to this Information Request, the "definitions" that apply to the words as they appear in this Information Request, and the "Questions" that you should provide a response for as part of this Information Request. Unless otherwise indicated, the time period covered by this request is 1940 to the present.

**INSTRUCTIONS**

Following are the instructions you should adhere to in responding to this Information Request. Please refer to the definitions for the words as they appear in this Information Request.

1. Identify the person(s) answering the Questions on behalf of the Respondent and each person(s) that you relied on or consulted in the preparation of the answer.
2. A separate narrative response must be made to each and every Question, and Subpart(s) of each Question, set forth in this Information Request.
3. Precede each narrative response with the number of the Question (or Subpart[s]) and the Question (or Subpart[s]) to which it corresponds.

4. For each and every Question contained herein, identify each of the documents consulted, examined, or referred to in the preparation of the answer or that contained information responsive to the Question and provide true and accurate copies of each of these documents. Organize the document copies according to the corresponding Question. For each document produced in your response to this Information Request, indicate on the document, or in some other reasonable manner, the number of the Question (or Subpart[s]) to which the document corresponds.
5. For each question contained in this Information Request, if information or documents responsive to this Information Request are not in your possession, custody, or control, please identify the person(s) from whom such information or documents may be obtained.
6. Identify any person you think may be able to provide a more detailed or complete response to any Question contained herein, along with the additional information or documents that you think they may have.
7. If information or documents not known or not available to you as of the date of submission of a response to this Information Request should later become known or available to you, you must supplement your response to EPA. Moreover, should you find, at any time, after submission of your response, that any portion of the submitted information is false or misrepresents the truth, or, although correct when made, is no longer true, you must notify EPA of this fact as soon as possible and provide a corrected response.
8. Provide responses to the best of your ability, even if the information sought was never written or if the written documents are no longer available. You should seek out responsive information from current and former employees/agents. Submission of cursory responses when other responsive information is available to you will be considered non-compliance with this Information Request.
9. The information requested herein must be provided even though you may contend that it includes confidential information or trade secrets. You may assert a confidentiality claim covering part or all of the information requested, pursuant to Section 104(e)(7)(E) and (F) of CERCLA, 42 U.S.C. Section 9604(e)(7)(E) and (F).

If you make a claim of confidentiality for any of the information you submit to EPA, you must prove that claim. For each document or response you claim confidential, you must separately address the following points:

- a. The portions of the information alleged to be entitled to confidential treatment;

- b. The period of time for which confidential treatment is desired (e.g., until a certain date, until the occurrence of a specific event, or permanently);
- c. Measures taken by you to guard against the undesired disclosure of the information to others;
- d. The extent to which the information has been disclosed to others, and the precautions taken in connection therewith;
- e. Pertinent confidentiality determinations, if any, by EPA or other Federal agencies, and a copy of any such determinations or reference to them, if available; and
- f. Whether you assert that disclosure of the information would likely result in substantially harmful effects on your business' competitive position, and if so, what those harmful effects would be, why they should be viewed as substantial, and an explanation of the causal relationship between disclosure and such harmful effects.

To make a confidentiality claim, please stamp or type, the word "confidential" on all confidential responses and any related confidential documents. Confidential portions of otherwise non-confidential documents, should be clearly identified. You should indicate a date, if any, after which the information need no longer be treated as confidential. Please submit your response so that all non-confidential information, including any redacted versions of documents are in one envelope and all materials for which you desire confidential treatment are in another envelope.

All confidentiality claims are subject to EPA verification. It is important that you satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so and that it is not and has not been obtainable by legitimate means without your consent. Information covered by such a claim will be disclosed by EPA only to the extent permitted by CERCLA Section 104(e). If no such claim accompanies the information when it is received by EPA, then it may be made available to the public without further notice to you.

10. Information which you submit in response to this Information Request may be disclosed by EPA to authorized representatives of the United States, pursuant to 40 CFR 2.310(h), even if you assert that all or part of the information is confidential business information. Please be advised that EPA intends to disclose all responses to this Information Request to one or more of its private contractors for the purpose of organizing and/or analyzing the

information contained in the responses to this Information Request. If you are submitting information which you assert is entitled to treatment as confidential business information, you may comment on this intended disclosure within fourteen (14) calendar days of receiving this Information Request.

11. The disclosure of personnel and medical files, etc., which the general public may constitute as invasion of privacy, should be segregated from your responses, included on a separate sheet(s), and marked as "Personal Privacy Information."
12. If you have objections to some or all of the questions included with this Information Request, you are still required to respond to each of the questions.

### **DEFINITIONS**

The following definitions shall apply to the following words as they appear herein. All terms not defined herein shall have their ordinary meaning, unless such terms are defined in CERCLA or the Resource Conservation and Recovery Act (RCRA), in which case the statutory or regulatory definitions shall apply. Words in the masculine shall be construed in the feminine, and vice versa, and words in the singular shall be construed in the plural, and vice versa, where appropriate in the context of a particular Question or Questions as necessary to bring within the scope of this Information Request any information which might otherwise be construed to be outside its scope.

1. The terms "**and**" and "**or**" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this Information Request any information which might otherwise be construed to be outside its scope.
2. The term "**any**" (e.g., as in "any documents"), shall mean "any and all."
3. The term "**arrangement**" shall mean every separate contract or other agreement between two or more persons, whether written or oral.
4. The term "**asset**" shall include the following: real estate, buildings or other improvements to real estate, equipment, vehicles, furniture, inventory, supplies, customer lists, accounts receivable, interest in insurance policies, interests in partnerships, corporations and unincorporated companies, securities, patents, stocks, bonds, and other tangible as well as intangible property.
5. The term "**document(s)**" shall mean any object that records, stores, or presents information, and includes writings of any kind, formal or informal, whether or not wholly or partially in handwriting, including by way of illustration and not by way of limitation, any invoice, manifest, bill of lading, receipt, endorsement, check, bank draft, canceled check, deposit slip, withdrawal slip, order, correspondence, record book, minutes,



memorandum of telephone and other conversations including meetings/agreements and the like, diary, calendar, desk pad, scrapbook, notebook, bulletin, circular, form, pamphlet, statement, journal, postcard, letter, telegram, telex, telecopy, telefax, report, notice, message, analysis, comparison, graph, chart, map, interoffice or intraoffice communications, photostat or other copy of any documents, microfilm or other film record, photograph, sound recording on any type of device, punch card, disc pack, tape or other type of memory generally associated with computers and data processing (including printouts and the programming instructions and other written material necessary to use such punch card, disc, or disc pack, tape or other type of memory), every copy of each document which is not an exact duplicate of a document which is produced, every copy of each document which has any writing on it (including figures, notations, annotations, or the like), drafts of documents, attachments to or enclosures with any document, and every document referred to in any other document.

6. The term **"Facility"** or **"Facilities"** shall mean industries operating in the vicinity of the Star Lake Superfund Site. The term shall include, but is not limited to, the Tank Farm (located at the northeast corner of Highway 136 and FM 366), Rectangular Ponds (located south of the Tank Farm and south of FM 366), Nine Above-Ground Storage Tanks (located north of FM 366 between Pine Street and Orchard Avenue and less than 500 feet east of the Tank Farm), Solid Waste Landfill (located northeast of the intersection of FM 366 and Orchard Avenue), Waste Water Treatment Plant (located at the southwest corner of Highway 136 and FM 366), Petrochemical Plant (located at the southwest corner of the intersection of FM 366 and Hogaboom Road), Chemical Plant (located at the southeast corner of Hogaboom Road and FM 366), and Industrial Gas Plant (located northeast of the corner of Hogaboom Road and Wilson Avenue).
7. The term **"generator"** shall mean persons who arranged for the disposal or treatment of hazardous substances at the place (i.e., the Star Lake Superfund Site, which includes the Star Lake and Jefferson Canals) where the hazardous substances were released.
8. The term **"hazardous material"** shall mean any hazardous substances, pollutants or contaminants, and hazardous wastes, as defined below.
9. The term **"hazardous substance"** shall have the same definition as that contained in Subsection 101(14) of CERCLA, 42 U.S.C. § 9601(14), and includes any mixtures of such hazardous substances with any other substances.
10. The term **"hazardous waste"** shall have the same definition as that contained in Subsection 1004(5) of RCRA, 42 U.S.C. § 6903(5), and 40 CFR Part 261.
11. The term **"identify"** shall mean, with respect to a natural person, to set forth the person's name, present or last known business, present or last known job (including job title and position), and personal addresses and telephone numbers.

12. The term **"identify"** shall mean, with respect to a corporation, partnership, business trust or other association or business entity (including, but not limited to, a sole proprietorship), to set forth its full name, address, and legal form (e.g. corporation [including state of incorporation], partnership, etc.), organization, if any, a brief description of its business, and to indicate whether or not it is still in existence and, if it is no longer in existence, to explain how its existence was terminated and to indicate the date on which it ceased to exist.
13. The term **"identify"** shall mean, with respect to a document, to provide the type of document. This information includes the document's customary business description, its date, its number (e.g., invoice or purchase order number), if any, subject matter, the identity of the author (including the addressor and the addressee and/or recipient), and the present location of such document.
14. The term **"identify"** shall mean, with respect to a piece of real property or property interest, to provide the legal description which appears in the county property records office, or in the equivalent office which records real property transactions for the area which includes the real property in question.
15. The term **"material(s)"** shall mean any and all objects, goods, substances, or matter of any kind including, but not limited to, wastes.
16. The term **"operator"** shall mean those persons who once owned or operated the facility from which hazardous substances were released into the Site..
17. The term **"owner"** shall mean those persons who owned the facility from which hazardous substances were released into the Site.
18. The term **"person"** shall have the same definition as in Subsection 101(21) of CERCLA, 42 U.S.C. § 9601(21), and shall include any individual, firm, unincorporated association, partnership, corporation, trust, consortium, joint venture, commercial entity, United States government, State and political subdivision of a State, municipality, commission, any interstate body, or other entity.
19. The terms **"pollutant"** or **"contaminant,"** shall have the same definition as that contained in Subsection 101(33) of CERCLA, 42 U.S.C. § 9601(33), and includes any mixtures of such pollutants and contaminants with any other substances. The term shall include, but not be limited to, any element, substance, compound, or mixture. The term shall also include disease-causing agents which after release into the environment will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions (including malfunction in reproduction), or physical deformations.

20. The term **“property interest”** shall mean any interest in property including, but not limited to, any ownership interest, an easement, a deed, a lease, a mining claim, any interest in the rental of property, any interest in a corporation that owns or rents or owned or rented property, and any interest as either the trustee or beneficiary of a trust that owns or rents, or owned or rented property.
21. The term **“real estate”** shall mean and include, but not be limited to, the following: land, buildings, homes, dwelling places, condominiums, cooperative apartments, offices or commercial buildings. The term includes real estate located outside of the United States.
22. The term **“release”** has the same definition as that contained in Subsection 101(22) of CERCLA, 42 U.S.C. § 9601(22), and includes any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment.
23. The term **“Site”** shall mean and include the Star Lake Superfund Site, which includes the Star Lake Canal, Jefferson Canal<sup>2</sup>, and Molasses Bayou.
24. The term **“solid waste”** shall have the same definition as that contained in Subsection 1004(27) of RCRA, 42 U.S.C. § 6903(27), and 40 CFR Part 261.
25. The terms **“transaction”** or **“transact”** shall mean any sale, transfer, giving, delivery, change in ownership, or change in possession.
26. The terms **“you”** or **“Respondent”** shall mean the addressee of this Request; including, the addressee’s officers, managers, employees, contractors, trustees, partners, successors, assigns, and agents.

### QUESTIONS

- A. Following are the Questions regarding ownership and operation of the Facility you operated in Jefferson County, Texas. Please refer to the definitions for the words as they appear in this Information Request.
  1. Identify all parent corporations and all subsidiaries of the Respondent.
  2. Identify all the prior owners and operators of the Facility, if known to you. For each prior owner or operator include the following information:

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<sup>2</sup>The Star Lake Canal is also known as the Defense Plant Corporation Canal, the Neches Butane Outfall Canal, the Neches Butane Products Company Outfall Canal, and the Texaco Chemical Outfall Canal. The Jefferson Canal is also known as the Texaco Chemical Company Outfall Canal, the Jefferson County Canal, the Star Lake Outfall Canal, and the Texaco Chemical Company Stormwater Canal.

- a. The dates of ownership and/or operation;
  - b. The nature of their ownership or operation of the Facility; and
  - c. All evidence that a hazardous substance was released from the Facility into the Site during the period that they owned or operated the Facility.
3. Provide the following information about the Facility during the time the Respondent owned/operated the Facility. This information shall include, but not be limited to, the following:
  - a. Groundwater wells, including drilling logs;
  - b. Location of all outfalls, active and inactive; including coordinates and dates of use;
  - c. Past and present storm water drainage systems (including subsurface disposal fields, and other underground structures). Also include where, when, and how such systems were emptied;
  - d. Past and current maps, photographs, and drawings of the Facility in your possession that show the historical development, growth, or change of the Facility from its inception up to its current state. This information shall include past and current aerial photographs of the Facility or parts of the Facility for this purpose.
4. Identify all past and present solid waste management units which have had releases or hydraulic connections (e.g., waste piles, landfills, surface impoundments, waste lagoons, waste ponds or pits, tanks, container storage areas, etc.) on or about the Facility to the Site during the time the Respondent owned/operated the Facility. This information shall include, but not be limited to, the following:
  - a. A map showing the boundaries and locations of all known active/inactive solid waste management units whether they are currently in operation, not in operation, open to the atmosphere, backfilled, or buried. This map should be drawn to scale, if possible, and shall clearly indicate the exact location of each unit with respect to the major features of the Facility;
  - b. The types of units, including their sizes (including vertical and horizontal dimensions) and capacities (including gallons, barrels, cubic and square feet);
  - c. The dates that the units were in use;
  - d. The purpose and the current/past usage (e.g., disposal, storage, or spill containment, etc.) of the units;

- e. The quantity and types of materials (e.g., hazardous substances and any other chemicals) located in each unit;
  - f. The construction (e.g., materials and composition, liners, leak detection systems, etc.), dates of cleaning, and the condition of each unit;
  - g. If a unit is no longer in use, how each unit was closed and what actions were taken to prevent or address potential or actual releases of waste constituents from the unit; and
  - h. Corrective actions initiated voluntarily or required by Federal, State or local laws or regulations.
5. Identify all leaks, spills, or releases of any hazardous substances from the Facility into the Site during the time the Respondent owned, operated, or leased the Facility or a portion thereof. This information shall include, but not be limited to, the following:
- a. When and where such releases occurred (e.g., from the surface impoundments). This information shall include detailed maps, drawings, and aerial photographs of the exact locations of these releases;
  - b. How the releases occurred (e.g., when the substances were being stored, delivered by a vendor, transported or transferred [to or from any tanks, drums, barrels, or recovery units], or treated);
  - c. The types (e.g., identify chemically [e.g., by trade name and compound] and physically [e.g., gas, liquid, or solid]) and the amounts of each hazardous substance so released;
  - d. Any and all activities undertaken in response to each such release, including the notification of any agencies or governmental units about the release;
  - e. Any and all investigations of the circumstances, nature, extent, or location of each release including, the results of any ground water, surface water, soil, or air testing undertaken;
  - f. All persons with information relating to these releases; and
  - g. Copies of any reports (e.g., Discharge Monitoring Reports [DMR violations of BOD, TSS, etc., that do not concern a hazardous substance are not requested), letters, written notifications, memorandums or any writings documenting such release.

6. Provide copies of all Federal, state, and local environmental permits ever granted for the Facility and the activities at the Facility or any part of the Facility (e.g., RCRA and National Pollutant Discharge and Elimination System, dredging permits, etc.) during the time the Respondent owned, operated or leased the Facility or a portion thereof.
7. Provide copies of all past and current reports or information related to ground water or surface water contamination which may impact or have impacted the waters of the Star Lake and Jefferson Canals, Groves Drainage Ditch, and Molasses Bayou, including each surface water body's sediments.
8. Has Respondent performed any sampling of the sediments mentioned in Question 7? If so, and the results were submitted to the Texas Natural Resource Conservation Commission (TNRCC) or EPA, please identify the sampling results documents so they can be retrieved and reviewed by EPA. If the results were not submitted to TNRCC or EPA, please provide them to EPA.
9. Is the Respondent or its consultant(s) planning to perform investigations of the ground water, surface water, soil, or air quality on or about the Facility? If so, provide the following information:
  - a. What the nature and scope of these investigations will be,
  - b. The contractors or other persons that will undertake these investigations,
  - c. The purpose of the investigations,
  - d. The dates when such investigations will take place and be completed, and
  - e. Where on the Facility such investigations will take place.
10. If any of the documents solicited in this information request are no longer available, please indicate the reason why they are no longer available. If the records were destroyed, provide us with the following information:
  - a. The document retention policy between the time you owned/operated the Facility;
  - b. A description of how the records were destroyed (burned, trashed, etc.) and the approximate date of destruction;
  - c. A description of the type of information that would have been contained in the documents;

- d. The name, job title, and most current address known by you of the person(s) who would have produced these documents, the person(s) who would have been responsible for the retention of these documents; the person(s) who would have been responsible for the destruction of these documents; and the person(s) who had and/or still may have the originals or copies of these documents; and
  - e. The name and most current address of any person(s) who may possess documents relevant to this inquiry.
- B. Following are the Questions regarding the generation of wastes at the Star Lake Canal and/or Jefferson Canal. Please refer to the definitions for the words as they appear in this Information Request.
1. Identify all persons, including the Respondent, who may have arranged for disposal or treatment or arranged for transportation for disposal or treatment of hazardous substances at or to the Star Lake Canal and/or Jefferson Canal (or any transshipment site). Such persons shall hereinafter be referred to as "Generators." This information shall include, but not be limited to, the following:
- a. The persons with whom the Generators made such arrangements including, but not limited to, those parties listed in **Enclosure B** (Parties Receiving Information Requests);
  - b. Every date on which each Generator made such arrangements;
  - c. The nature, including the chemical content, characteristics, physical state (e.g., solid or liquid) and quantity (volume and weight) of all hazardous substances involved in each such arrangement;
  - d. In general terms, the nature and quantity of the non-hazardous materials involved in each such arrangement;
  - e. The owner of the hazardous substances involved in each such arrangement;
  - f. All tests, analyses, analytical results, and manifests concerning each hazardous substance involved in such transactions;
  - g. The precise locations at which each hazardous substance involved in such transactions actually was disposed or treated;
  - h. Who selected the location to which the hazardous substance were to be disposed or treated. This information shall include where these persons intended to have the hazardous substance involved in each arrangement treated or disposed and all evidence of their intent;

- i. Who selected the Site as the location at which hazardous substances were to be disposed or treated;
  - j. The amount paid in connection with each such arrangement, the method of payment, and the identity of the persons involved in each arrangement;
  - k. All intermediate sites to which the hazardous substances involved in each arrangement were transshipped, or at which they were stored or held at any time prior to final treatment or disposal;
  - l. What was done to the hazardous substances once they were brought to the Site;
  - m. The final disposition of each of the hazardous substances involved in each arrangement;
  - n. The measures taken by you to determine how and where treatment or disposal of the hazardous substances involved in each arrangement would actually take place; and
  - o. The markings, type, condition, and number of containers in which the hazardous substances were contained when they were stored, disposed, treated, or transported for disposal or treatment.
2. Provide names, addresses, and telephone numbers of any individuals (including current and former employees) who may be knowledgeable of the waste generation activities into the Star Lake Canal and/or Jefferson Canal and hazardous substance handling, storage, and disposal practices.
  3. State the date(s) on which the hazardous substances were sent, brought, or moved to the Star Lake Canal and/or Jefferson Canal, including names, addresses, and telephone numbers of the person(s) making such arrangements.
  4. Provide the correct name and addresses of the Respondent's plants and other buildings or structures where the Respondent carried out its operations (excluding locations where only clerical/office work was performed).
  5. Provide a schematic diagram or flow chart that fully describes and/or illustrates the Respondent's operations concerning the Star Lake Canal and/or Jefferson Canal.
  6. Provide a brief description of the nature of the Respondent's operations at the Star Lake Canal and/or Jefferson Canal. This information shall include, but not be limited to, the following:
    - a. The date such operations commenced and concluded; and,



- b. The types of work performed at each canal including, but not limited to, the industrial, chemical, or institutional processes undertaken at each canal.
- 7. Provide copies of the Material Safety Data Sheets for the materials used in the Respondent's operations.
- 8. Describe the cleaning and maintenance of the equipment and machinery involved in the Respondent's operations. This information shall include, but not limited to, the following:
  - a. The types of materials used to clean and maintain this equipment and machinery; and,
  - b. The monthly or annual quantity of each such material used.
- 9. Describe the methods used to clean up spills of liquid or solid materials during the Respondent's operations. This information shall include, but not limited to, the following:
  - a. The types of materials spilled in the Respondent's operations;
  - b. The materials used to clean up those spills;
  - c. The methods used to clean up those spills; and,
  - d. Where the materials used to clean up those spills were disposed of.
- 10. Prepare a "Waste List" which shows each substance present in the Respondent's wastes and by-products and provide any additional information for each such substance that would assist the EPA in determining the type of compounds present in the waste and by-products.
- 11. Describe each type of waste and by-products from the Respondent's operations including all liquids, sludges, and solids. This information shall include, but not be limited to, the following:
  - a. The physical state;
  - b. The nature and chemical composition;
  - c. The color;
  - d. The odor; and
  - e. The approximate monthly and annual volumes of each type of waste (using such measurements as gallons, cubic yards, and pounds, etc.).

12. Describe how each type of waste was collected and stored at the Respondent's operation prior to disposal, recycling, sale, and transport. This information shall include, but not be limited to, the following:
  - a. The type of container in which each type of waste was placed or stored; and
  - b. Where each type of waste was collected or stored.
13. Identify all of the individuals who currently have and those who have had responsibility for the Respondent's environmental matters (e.g., responsibility for the disposal, treatment, storage, recycling, or sale of the Respondent's wastes). This information shall include, but not be limited to, the following:
  - a. Each individual's job title and duties (including the dates performing those duties);
  - b. The supervisors for such duties;
  - c. The current position or the date of the individual's resignation; and
  - d. The nature of the information possessed by such individuals concerning the Respondent's waste management.
14. For each type of waste, describe the Respondent's contracts, agreements, or other arrangements for the waste's disposal, treatment, or recycling. This information shall include, but not be limited to, the following:
  - a. Provide copies of such contracts and other documents reflecting such agreements or arrangements;
  - b. State where the Respondent sent each type of its waste for disposal, treatment, or recycling;
  - c. Identify all entities and individuals who picked up waste from the Respondent or who otherwise transported the waste away from the Respondent's operations. These companies and individuals shall hereinafter be referred to as "waste carriers;"
  - d. State if the Respondent transported any of its wastes away from its operations;
  - e. For each type of waste, specify which waste carrier picked up the waste;
  - f. For each type of waste, state how frequently each waste carrier picked up such waste;

- g. For each type of waste, state the volume picked up by each waste carrier including the frequency (e.g., in terms of either weeks, months, or years);
- h. For each type of waste state the beginning and ending dates such waste was picked up by each waste carrier;
- i. Provide copies of all documents containing information responsive to Questions b-h of this Subpart of the Information Request;
- j. Describe the vehicles used by each waste carrier to haul or transport each type of waste away from the Respondent's operations. This information shall include, but not be limited to, the following:
  - 1. The type of vehicle (e.g., barge, flatbed truck, tanker truck, containerized dumpster truck, etc.);
  - 2. The names or markings on the vehicles; and
  - 3. The color of such vehicles.
- k. Identify all of each waste carrier's employees who collected the Respondent's wastes;
- l. Indicate the ultimate disposal, recycling, and treatment location for each type of waste and provide all documents indicating these locations for each type of waste;
- m. Describe how the Respondent managed pickups of each type of waste. This information shall include, but not be limited to, the following:
  - 1. The method for performing inventory for each type of waste;
  - 2. The method for requesting each type of waste to be picked up;
  - 3. The identity of the waste carrier's employee or agent contacted for pickup of each type of waste;
  - 4. The amount paid or the rate paid for the pickup of each type of waste;
  - 5. The identity of the Respondent's employee(s) who paid the bills; and
  - 6. The identity of the individual(s) and company to whom the Respondent sent the payment for the pickup of each type of waste.

- n. Identify the individual or organization, including the Respondent and waste carrier, who selected the location where each of the Respondent's wastes were taken. State the basis for and provide any documents supporting the answer to this question; and
- o. If not already provided, specify the dates and circumstances when the Respondent's waste was taken to the Site and identify the companies or individuals who brought the Respondent's waste to the Site. Provide all documents which support your response.

**ENCLOSURE B**  
**PARTIES RECEIVING INFORMATION REQUESTS**  
**STAR LAKE SUPERFUND SITE**  
**JEFFERSON COUNTY, TEXAS**  
**APRIL 23, 2001**

American Cyanamid Company  
Five Giralda Farms  
Madison, New Jersey 07940

Prentice Hall Corporate Systems  
Registered Agent for American Cyanamid Company  
800 Brazos  
Austin, TX 78701

Ameripol Synpol Corporation  
1215 Main Street  
Port Neches, TX 77651-3038

Randy Beskow  
Registered Agent for Ameripol Synpol Corporation  
1215 Main Street  
Port Neches, TX 77651-3038

The Uniroyal Goodrich Tire Corporation  
280 Park Avenue  
New York, NY 10017-1216

Capitol Commerce Reporter, Inc.  
Registered Agent for The Uniroyal Goodrich Tire Corporation  
1301 South Interstate Highway 35, Suite 100  
Austin, TX 78741

Calabrian Chemicals Corporation (Chemall, Inc.)  
5500 Highway 366  
Port Neches, TX 77651-6300

Lance Fox  
Registered Agent for Calabrian Chemicals Corporation (Chemall, Inc.)  
470 Orleans Street  
Beaumont, TX 77701

Huntsman Petrochemical Corporation  
6001 Highway 366  
Port Neches, TX 77651-6304

C. T. Corporation System  
Registered Agent for Huntsman Petrochemical Corporation  
350 North St. Paul Street  
Dallas, TX 75201

Jefferson County Drainage District Number 7  
4401 9<sup>th</sup> Avenue  
Port Arthur, TX 77640

Texaco, Inc.  
1111 Bagby Street  
Houston, TX 77002

Prentice Hall Corporation System, Inc.  
Registered Agent for Texaco, Inc.  
800 Brazos Street  
Austin, TX 78701

Texaco Butadiene Company (Texas-U.S. Chemical Company International)  
P.O. Box 1404  
Houston, Texas 77251

J. Frank Kinsel  
Registered Agent for Texaco Butadiene Company (Texas-U.S. Chemical Company International)  
1111 Rusk Street  
Houston, TX 77002